

REMARKS

The present Preliminary Amendment is begin filed contemporaneously with a Request for Continued Examination in the present patent application

In the final Office Action dated January 22, 2008 issued in the present application, claims 1-47 were rejected under 35 U.S.C. 102(b) as being anticipated by Boone *et al*, U.S. 2002/0196141.

The claims of the present application are amended herewith in order to better define an exemplary embodiment of the present invention. As stated in the present specification, the purpose of the present invention is to provide an integrated monitoring apparatus where there is an integration of both physiological information concerning the patient as well as environmental information concerning the particular apparatus that is being used to treat the patient. As such the data and information from two disparate sources of differing types of information is integrated into one stream of information and data concerning the well being of the patient and which is then available at a location within the apparatus.

Accordingly, claim 1 has now been amended to recite that the integrated stream of signals, that is, the signals conveying information from both an environment sensor and a physiological sensor are converted into an alpha-numeric visual readout that provides a recommended course of action to the user and further that such recommended course of action is therefore based upon information that relates to both "the environment surrounding the patient as well as a physiological condition of the patient" and thus two different, disparate types of information relating to the well-being of the patient are gathered, combined and used to provide diagnostic information to the user.

Accordingly, it is the combination of the types of information, that is, both information relating to the environment surrounding the patient as well as some physiological condition of patient that provides an unique opportunity to analyze the combined information available in an integrated form and to provide a diagnostic assessment of potential situations concerning the patient.

For example, on page 5, beginning at line 24, there is illustrated the use of a physiological sensor, such as an ECG sensor that provides data relative to the heart rate of the patient and which typically is used in determining bradycardia. That information can be combined, in accordance with the present invention, with environmental information such as the airway pressure of a ventilator supplying air to the patient and what airway pressure sensor may show, for instance, a lower inspiratory pressure than the set pressure. The combined information from an integrated stream of such information of the physiological information and the environmental information, in that example, indicates the possibility of a malfunction of the ventilator, such as a leak or partial detachment, and that diagnostic information can be determined and communicated to the user to correct the situation having a good analysis of the problem and suggested corrective actions. Without the availability of both types of information *i.e.* physiological as well as environmental, the diagnostic analysis and suggested action to the user may not be possible or, if so, certainly not as rapidly.

Accordingly, it is submitted that a patient carestation having the ability to integrate a stream of signals from both an environmental sensor as well as a physiological sensor and then use that combined stream of information to analyze the information from the differing types of sensors to diagnose problems and provide a recommended course of action based on that combination of information is both novel and unobvious over the Boone et al reference.

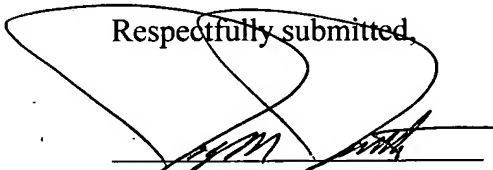
The same limitations are found in the method claim 17 where there is now a step of using the combined integrated stream of data to "provide an alpha-numeric readout visually recognizable by a user that provides a recommended course of action to a user based upon both

"a physiological condition sensed by the at least one physiological sensor and an environmental parameter sensed by the at least one environmental sensor". Again it is submitted that such step is both novel and unobvious over the Boone et al reference.

The same is true of the remaining independent claims 26 and 38 where similar language has been inserted into the claims to the effect that the integrated stream of information relating to both environmental parameters as well as physiological conditions of a patient are both used in determining a recommended course of action suggested to the user.

Accordingly, it is submitted that the claims, as now amended, are patentable over the cited reference and an allowance of the present application is respectfully solicited.

Respectfully submitted,



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